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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,756	02/27/2004	Guan Heng Liu	67,200-1199	8440

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EXAMINER
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ZACHARIA, RAMSEY E

ART UNIT	PAPER NUMBER
1773	

DATE MAILED: 04/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/788,756

Applicant(s)

LIU ET AL.

Examiner

Ramsey Zacharia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,3-9,13 and 17-20 is/are pending in the application.
- 4a) Of the above claim(s) 17-20 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9 and 13 is/are allowed.
- 6) ☒ Claim(s) 1 and 3-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

#### ***Election/Restrictions***

2. Claims 17-20 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected invention, there being no allowable generic or linking claim.

Election was made **without** traverse in the reply filed on 10 October 2005.

#### ***Claim Objections***

3. Claims 4 and 8 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form. Because independent claim 1 now recites that the support body comprises a silicon wafer, claims 4 and 8 are redundant.

#### ***Claim Rejections - 35 USC § 102***

4. Claims 1, 2, 5, and 6 are rejected under 35 U.S.C. 102(b) as being anticipated by Lin (U.S. Patent 6,159,773).

Lin teaches a silicon wafer 1 have deposited thereon elastomer layers 42-45 (Figure 9). The silicon wafer reads on the support body of the instant claims. The outermost elastomer layer

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45 reads on the instant particle adherent layer since the claims do not recite any particular degree of particle adhesion. Since it is formed of an elastomer some particles, particularly hard, sharp particles, will penetrate the elastomer and become embedded. Interior elastomer layer(s) 42 and/or 43 read on the instant resilient layer. Interior elastomer layers 43 and/or 44 read on the instant adhesive layer since these layers act to adhere the outermost elastomer layer to the silicon wafer and innermost elastomer layer.

***Claim Rejections - 35 USC § 103***

5. Claims 1 and 3-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Horton et al. (U.S. Patent 6,010,916).

Horton et al. teach an inert wafer comprising a tetrafluoroethylene resin sized to be identical to a blank silicon wafer that may contain a metal plate such that it will be identically sized and weighted as a production silicon wafer (column 2, line 64-column 3, line 4). The metal plate corresponds to the instant support body and the tetrafluoroethylene resin layer corresponds to the instant particle adherent layer.

Horton et al. do not teach the use of a silicon wafer as the plate or the presence of an adhesive layer between the tetrafluoroethylene resin layer and the plate.

However, Horton et al. do teach that the inert wafer should be the same size and weight as a production silicon wafer. Therefore, it would be obvious to one skilled in the art to use a silicon wafer as the plate around which the tetrafluoroethylene resin is applied since the inert wafer is designed to be the same size and weight as a production silicon wafer.

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Moreover, it would be obvious to employ an adhesive between the tetrafluoroethylene resin and the plate material to ensure that the inert tetrafluoroethylene resin does not delaminate from the plate material, potentially exposing the plate leading to equipment contamination during setup, testing, or adjustment.

*Allowable Subject Matter*

6. Claims 9 and 13 are allowed for the reasons put forth in the Office action mailed 19 October 2005.

*Response to Arguments*

7. Applicant's arguments filed 08 February 2006 have been fully considered but they are not persuasive.

Regarding the rejection over Lin, the applicants argue that the elastomer layer of Lin serves a completely different function and is not a particle-adherent layer that has a particle-adherent surface.

This is not persuasive because the elastomer layer of Lin will function as a particle-adherent layer regardless of its intended purpose. An elastomer is resilient a polymer that would allow a particle (particularly a sharp particle) to penetrate and embed itself within the elastomer. As such, the elastomer layer reads on a particle-adherent layer that has a particle-adherent surface, even if this is not its intended use.

Regarding the rejection over Horton et al., the applicants argue that Horton et al. do not teach the use of silicon wafer or the presence of an adhesive layer. While the examiner does not

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disagree with this contention, the examiner's position is that the use of a silicon wafer as the inert wafer of Horton et al. would be obvious since the inert wafer is designed to be the same size and weight as a silicon wafer. Likewise, the use of an adhesive would be obvious to ensure that the inert tetrafluoroethylene resin remains attached to the support so as to avoid exposing the support and contaminating the equipment during setup, testing, or adjustment. It is further noted that while the remarks argue that "it is only the present invention that recognizes that in order to coat the silicon wafer with a tetrafluoroethylene layer, an adhesive layer must be used therein between", claim 3 demonstrates that the adhesive layer is not required, illustrating that the use of an adhesive is not a critical element of the claimed invention (otherwise claim 3 would not be enabled).

### *Conclusion*

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Zacharia whose telephone number is (571) 272-1518.

The examiner can normally be reached on Monday through Friday from 9 to 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carol Chaney, can be reached at (571) 272-1284. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**Ramsey Zacharia**  
**Primary Examiner**  
**Tech Center 1700**